

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

WALTER TOMASINO-ZAPATA,

Defendant.

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Case No. 8:05CR385

ORDER

At the initial appearance of the defendant on the charges contained in the Indictment on file, the United States moved to detain the defendant without bail pending trial on the basis that he was a flight risk and a danger to the community. At the time of his initial appearance before the court, the defendant was in the custody of Nebraska state authorities on state charges. Accordingly,

**IT IS ORDERED:**

The government's motion for detention of Walter Tomasino-Zapata pursuant to the Bail Reform Act is held in abeyance pending the defendant's coming into federal custody.

**IT IS FURTHER ORDERED:**

The defendant, Walter Tomasino-Zapata, having received notice of his return to the custody of Nebraska state authorities pending the disposition of this matter and having waived an opportunity for hearing in this matter pursuant to the Interstate Agreement on Detainers, 18 U.S.C. app § 9(2), the U.S. Marshal is authorized to return the defendant, Walter Tomasino-Zapata, to the custody of Nebraska state authorities pending the final disposition of this matter and the U.S. Marshal for the District of Nebraska is directed to place a detainer with the correctional officer having custody of the defendant.

November 3, 2005.

BY THE COURT:

s/ F.A. Gossett

United States Magistrate Judge